

**PROPOSED CHANGES
PARMA CODIFIED ORDINANCES
CHAPTER 749
MESSAGE PARLORS**

749.01 DEFINITIONS.

As used in this chapter:

(a) "Employee" means any person over eighteen years of age, other than a massagist, who renders any service in connection with the operation of a massage business and receives compensation from the operator of the business or patrons.

(b) "Licensee" means the person to whom a license to own or operate a massage establishment has been issued.

(c) "Massage" means any method of pressure or friction against, or stroking, kneading, rubbing, tapping, pounding, vibration or stimulation of, the external parts of the human body with the hands or with the aid of any mechanical electrical apparatus or appliance, with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments or similar preparations commonly used in the practice of massage, under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on his or her behalf will pay money or give any other consideration or any gratuity therefor.

(d) "Massage establishment" means any establishment having a source of income or compensation derived from the practice of massage and having a fixed place of business where any person engages in or carries on any of the activities described in subsection (c) hereof.

(e) "Massagist," "masseur" or "masseuse" means any person who, for any consideration whatsoever, engages in the practice of massage.

(f) "Outcall massage service" means any business, the function of which is to engage in or carry on massages at a location designated by the customer or client rather than at a massage establishment.

(g) "Patron" means any person eighteen years of age or older who receives a massage under such circumstances that it is reasonably expected that he or she will pay money or give any other consideration therefor.

(h) "Permittee" means the person to whom a permit has been issued to act in the capacity of a massagist, masseur or masseuse.

(i) "Person" means any individual, partnership, firm, association, joint stock company, corporation or combination of individuals of whatever form or character.

(j) "Recognized school" means any school or educational institution licensed to do business as a school or educational institution in the state in which it is located, or any school recognized by or approved or affiliated with the American Massage and Therapy Association, Inc., and which has for its purpose the teaching of the theory, method, profession or work of massage, which school or institution requires a resident course of study of not less than seventy hours before the student shall be furnished with a diploma or certificate of graduation from such school or institution following the successful completion of such course of study.

(k) "Sexual or genital area" means the genitals, pubic hair, buttocks, anus or perineum of any person, or the vulva or breasts of a female.
(Ord. 164-88. Passed 5-16-88.)

749.02 PERMIT AND LICENSE REQUIRED.

(a) Business License Required. No person shall engage in or carry out the business of massage unless he or she has a valid massage business license issued by the City pursuant to this chapter for each and every separate office or place of business conducted by such person.

(b) Massagist's Permit Required. No person shall practice massage as a massagist, employee or otherwise unless he or she has a valid and subsisting massagist's permit issued to him or her by the City pursuant to this chapter.
(Ord. 164-88. Passed 5-16-88.)

749.03 EXEMPTIONS.

This chapter shall not apply to the following individuals while engaged in the personal performance of the duties of their respective professions:

(a) Physicians, surgeons, chiropractors, osteopaths, physical or massage therapists who are duly licensed to practice their respective professions in the State;

(b) Nurses who are registered under the laws of the State; or

(c) Barbers and beauticians who are duly licensed under the laws of the State, except that this exemption shall apply solely to the massaging of the neck, face, scalp and hair of the customer or client for cosmetic or beautifying purposes.

(Ord. 164-88. Passed 5-16-88; Ord. 139-06. Passed 11-6-06.)

749.04 CONTENTS OF MASSAGE ESTABLISHMENT LICENSE APPLICATIONS.

Every applicant for a license to maintain, operate or conduct a massage establishment shall file an application, under oath, with the City, upon a form provided by the Department of Public Safety, and shall pay a nonrefundable annual license fee as set forth in Section 185.04(c) of the ~~Administrative Code~~ **Parma Codified Ordinances**, per year or part thereof. The application, once accepted, shall be referred to such Department for investigation. Copies of the application shall, within five days, be referred to the Building Division, the Fire Division and the County Health Department. Such Divisions and Department shall, within thirty days, inspect the premises proposed to be operated as a massage establishment and make a written verification to the Department of Public Safety concerning compliance with the codes of the City and State that they administer. The application shall further be referred to the ~~Police Division~~ **Department** for investigation of the applicant's **background**, character and qualifications. Each application shall contain, at a minimum, the following:

- (a) A definition of the service to be provided;
- (b) The location, mailing address and each telephone number where the business is to be conducted;
- (c) The name and residence address of each applicant (hereinafter all provisions which refer to an applicant may refer to a corporation or partnership) as follows:
 - (1) If the applicant is a corporation, the name and residence address of each officer and director of such corporation and of each stockholder owning more than ten percent of the stock of the corporation itself, if different from the address of the massage establishment; or
 - (2) If the applicant is a partnership, the name and residence address of each partner, including limited partners, and the address of the partnership itself if different from the address of the massage establishment;
- (d) The two previous addresses immediately prior to the present address of the applicant;
- (e) Proof that the applicant is at least eighteen years of age;
- (f) ~~The individual or partnership~~ applicant's height, weight, color of eyes and hair, and sex;
- (g) A copy of a form of identification, such as a driver's license or a social security card **of the applicant**;

(h) One portrait photograph of the applicant, at least two inches by two inches in size, and a complete set of the applicant's fingerprints, which shall be taken by the Chief of Police or his or her agent; if the applicant is a corporation, one portrait photograph, at least two inches by two inches in size, of each officer and managing agent of such corporation and a complete set of the same officer's and agent's fingerprints, which shall be taken by the Chief of Police or his or her agent; and if the applicant is a partnership, one front-face portrait photograph, at least two inches by two inches in size, of each partner, including a limited partner, in such partnership, and a complete set of each partner's or limited partner's fingerprints, which shall be taken by the Chief of Police or his or her agents;

(i) The business, occupation or employment of the applicant for the three years immediately preceding the date of application;

(j) The massage or similar business license history of the applicant; and a statement as to whether or not such person, in previously operating in this or another city or state, has had a business license revoked or suspended, the reason therefor and the business activity or occupation subsequent to such action of suspension or revocation;

(k) All criminal convictions other than misdemeanor traffic violations, including the date of conviction, the nature of the crime and the place convicted;

(l) The name and address of each massagist who is or will be employed in such establishment;

(m) A diploma or certificate of graduation from a recognized school or other institution of learning wherein the method, profession and work of massage is taught. However, if the applicant will not himself or herself engage in the practice of massage, he or she need not possess such a diploma or certificate of graduation.

(n) The name and address of any massage business or other establishment owned or operated by any person whose name is required to be given in subsection (c) hereof wherein the business or profession of massage is carried on;

(o) A description of any other business to be operated on the same premises or on adjoining premises owned or controlled by the applicant;

(p) Authorization for the City, its agents and employees to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the permit;

(q) Such other identification and information ~~necessary to discover the truth of the matters hereinbefore specified~~ as required **by the Director of Public Safety** to be set forth in the application; and

(r) The names, current addresses and written statements of at least three bona fide permanent residents of the United States that the applicant is of good moral character. If the applicant is able, the statement must first be furnished by residents of the City, then the County, then the State and lastly from the rest of the United States. These references must be persons other than relatives and business associates.

Upon completion of the form and the furnishing of all requested information, the Department of Public Safety shall accept the application for the necessary investigations. The holder of a massage establishment license shall notify the Department of each change in any of the data required to be furnished by this section within ten days after such change occurs.

(Ord. 164-88. Passed 5-16-88.)

749.05 CONTENTS OF MASSAGIST PERMIT APPLICATIONS.

An application for a massagist's permit shall be made to the Department of Public Safety in the same manner as provided in Section 749.04 for a massage establishment license and shall be accompanied by an annual nonrefundable fee as set forth in Section 185.04(c) of the ~~Administrative Code~~ **Parma Codified Ordinances** per year or part thereof. Massagists who have already paid the permit fee for the current six-month period shall not be required to pay an additional fee hereunder. The application shall contain, but not be limited to, the following:

(a) The business address and all telephone numbers where the massage is to be practiced;

(b) The name and residence address, and all names, nicknames and aliases by which the applicant has been known, including the two previous addresses immediately prior to the present address of the applicant;

(c) The applicant's Social Security number, driver's license number, if any, and date of birth;

(d) The applicant's weight, height, color of hair and eyes and sex;

(e) Written evidence that the applicant is at least eighteen years of age;

(f) A complete statement of all convictions of the applicant for any felony, misdemeanor or violation of a local ordinance, except misdemeanor traffic violations;

(g) The fingerprints of the applicant taken by the Police ~~Division~~
Department;

(h) Two front-face portrait photographs taken within thirty days of the date of the application, at least two inches by two inches in size;

(i) The name and address of the recognized school attended, the dates attended and a copy of the diploma or certificate of graduation awarded the applicant showing that the applicant has completed not less than seventy hours of instruction. For any person presently employed as a masseur or masseuse in the City, this section shall not apply until December 31, 1988. Present employment shall be established by sworn affidavit from the employer. After such time, such person must be actively engaged, enrolled or participating in a course of study designed to fulfill the requirements of this section, and such participation shall be certified to by an official of the approved school. The burden of establishing such active engagement, enrollment or participation shall be upon the person seeking a permit herein. For persons not so employed, this section shall be effective upon its passage (Ordinance 164-88, passed May 16, 1988). Permits issued to persons presently employed shall be revoked on December 31, 1988, unless such persons are pursuing the study required by this section by that date. In no event shall any person within the purview of this section act as aforesaid without satisfying the training requirement set forth within the City after December 31, 1988.

(j) The massage or similar business history and experience for ten years prior to the date of the application, including, but not limited to, whether or not such person in previously operating in the City or in another city or state under a license or permit has had such license or permit denied, revoked or suspended, the reasons therefor and the business activities or occupations subsequent to such action of denial, suspension or revocation;

(k) The names, current addresses and written statements of at least five bona fide permanent residents of the United States, other than relatives, that the applicant is of good moral character. If the applicant is able, the statement must first be furnished from residents of the City, then the County, then the State and lastly from the rest of the United States;

(l) A medical certificate signed by a physician, licensed to practice in the City, within seven days of the date of the application. The certificate shall state that the applicant was examined by the certifying physician and that the applicant is free of communicable disease. The additional information required by this subsection shall be provided at the applicant's expense.

(m) Such other information, identification and physical examination of the person deemed necessary by the ~~Police Chief~~ **Director of Public Safety** in

order to discover the truth of the matters herein required to be set forth in the application;

(n) Authorization for the City, its agents and employees to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the permit; and

(o) A written declaration by the applicant, under penalty of perjury, that the foregoing information contained in the application is true and correct. Such declaration shall be duly dated and signed in the City.
(Ord. 164-88. Passed 5-16-88.)

749.06 ISSUANCE OF LICENSES OR PERMITS.

(a) The City shall issue a license for a massage establishment **upon receipt of the certificate of the Cuyahoga County Department of Health that the massage establishment is in compliance with all of the health and sanitation requirements of this code, and the certificate of the Building Inspector and the Fire Inspector that the building meets the requirements of the building code and the fire prevention regulations, respectively, and the certificate of the Chief of Police that the applicant or applicants have not been convicted in a court of competent jurisdiction of the crimes listed in division (a) (2) of this section, the Director of Public Safety shall issue a permit to maintain, operate or conduct a massage establishment, unless he finds:**

(1) That the operation, as proposed by the applicant, if permitted, would not have complied with all applicable laws of the city;

(2) That the applicant and any other person who will be directly or indirectly engaged in the management and operation of a massage establishment has within the last ten (10) years been convicted of a felony; any crime involving dishonesty, fraud or deceit; any offense violating Ohio Revised Code Chapter 2907 or Parma Codified Ordinances Chapter 666 or any similar municipal ordinance;

(3) That the correct permit or license fee has not been tendered to the City.

(b) The City shall issue a permit for a masseur or masseuse, after ratification by the Director of Public Safety, if all requirements for a massagist permit described in this chapter are met, unless:

(1) The applicant for the permit has within the last ten (10) years been convicted of a felony; any crime involving dishonesty, fraud or deceit; any offense violating Ohio Revised Code Chapter 2907 or Parma Codified Ordinances Chapter 666 or any similar municipal ordinance; or

(2) ~~it finds that the~~ **The** correct permit or license fee has not been tendered to the City.

(Ord. 164-88. Passed 5-16-88.)

749.07 ACTION ON APPLICATIONS; EFFECTIVE PERIOD OF LICENSES AND PERMITS.

The City shall act to approve or deny an application for a license or permit under this chapter within a reasonable period of time, and in no event shall the City act to approve or deny such license or permit later than ninety days from the date the application was accepted by the Department of Public Safety. Every license or permit issued pursuant to this chapter will terminate at the expiration of one year from the date of its issuance unless sooner suspended or revoked.

(Ord. 164-88. Passed 5-16-88.)

749.08 WAIVER OF EDUCATION REQUIREMENTS.

The City shall waive the requirements of Sections 749.01(j) and 749.05(i) if the applicant furnishes satisfactory evidence that he or she attended not less than seventy hours of instruction in a school in or outside the State or in any foreign country that provides education substantially equal to or in excess of the educational requirements of this chapter.

(Ord. 164-88. Passed 5-16-88.)

749.09 MULTIPLE MASSAGE ESTABLISHMENTS; LICENSE FEE.

If any massage business has more than one location where the business of massage is pursued, then provided all proper requirements are met, a license stating both the address of the principal place of business and of the other locations shall be issued by the ~~Chief of Police~~ **Director of Public Safety** upon the tender of a license fee as set forth in Section 185.04(c) of the ~~Administrative Code~~ **Parma Codified Ordinances**. Licenses issued for other locations shall terminate on the same date as that of the principal place of business, regardless of the date of issuance.

(Ord. 164-88. Passed 5-16-88.)

749.10 POSTING OF PERMITS AND LICENSES.

(a) Every massagist shall post the permit required by this chapter at his or her work area.

(b) Every person licensed under this chapter shall display such license in a prominent place.

(Ord. 164-88. Passed 5-16-88.)

749.11 REGISTER OF EMPLOYEES.

The licensee or person designated by the licensee of a massage establishment shall maintain a register of all persons employed at any time as masseurs or masseuses and their permit numbers. Such register shall be

available at the massage establishment to representatives of the City during regular business hours.

(Ord. 164-88. Passed 5-16-88.)

749.12 REVOCATION OR SUSPENSION OF LICENSES AND PERMITS.

(a) Licenses. Any license issued for a massage establishment may be revoked or suspended by the City after notice and a hearing, for good cause, or in any case where any provision of this chapter is violated, or where any employee of the licensee, including a masseur or masseuse, is engaged in any conduct which violates any State or local law or ordinance at the licensee's place of business and the licensee has actual or constructive knowledge by due diligence. Such license may also be revoked or suspended by the City after notice and a hearing, upon the recommendation of the Director of Public Safety that such business is being managed, conducted or maintained without regard to proper sanitation and hygiene. Such ~~revocation~~ proceedings shall be before the Director **of Public Safety. The license shall be suspended from the date appearing on the notification of hearing until the outcome of the hearing.**

(b) Permits. A masseur or masseuse permit issued by the Director of Public Safety shall be revoked or suspended **by the City after notice and a hearing**, where it appears that the masseur or masseuse has **engaged in conduct or** been convicted of any offense which would be cause for denial of a permit upon an original application, has made a false statement on an application for a permit or has committed an act in violation of this chapter. Such ~~revocation~~ proceedings shall be before the Director **of Public Safety. The permit shall be suspended from the date appearing on the notification of hearing until the outcome of the hearing.**

(c) Appeals. If the Director of Public Safety suspends or revokes a license or permit, the licensee or permittee may appeal such order to the Board of Zoning Appeals. Written notice of such appeal shall be filed with the Board within ten days after the making of such order. Within ten days after the filing of such notice, the Board shall proceed to hear such appeal, at which hearing all parties in interest shall be afforded an opportunity to be heard. The Board shall approve, modify or annul the order from which the appeal has been performed, and the finding of the Board shall be final with respect to all parties thereto.

(Ord. 164-88. Passed 5-16-88.)

749.13 FACILITIES AND SANITATION.

No license to conduct a massage establishment shall be issued unless an inspection by the City reveals that the establishment complies with each of the following minimum requirements:

(a) The construction of rooms used for toilets, tubs, steam baths and showers shall be made waterproof with waterproofed materials and shall be installed in accordance with the Building Code. Plumbing fixtures shall be installed in accordance with the Plumbing Code.

(1) Steam rooms and shower compartments shall have waterproof floors, walls and ceilings approved by the City.

(2) Floors of wet and dry heat rooms shall be adequately pitched to one or more floor drains properly connected to the sewer. (Exception: Dry heat rooms with wooden floors need not be provided with pitched floors and floor drains.)

(3) A source of hot water must be available within the immediate vicinity of dry and wet heat rooms to facilitate cleaning.

(b) The premises shall have adequate equipment for disinfecting and sterilizing nondisposable instruments and materials used in administering massages. Such nondisposable instruments and materials shall be disinfected after use on each patron.

(c) Closed cabinets shall be provided and used for the storage of clean linens, towels and other materials used in connection with administering massages. All soiled linens, towels and other materials shall be kept in properly covered containers or cabinets, which containers or cabinets shall be kept separate from the clean storage areas.

(d) Toilet facilities shall be provided in convenient locations. When employees and patrons of different sexes are on the premises at the same time, separate toilet facilities shall be provided for each sex. A single water closet per sex shall be provided for each twenty or more employees or patrons of that sex on the premises at any one time. Urinals may be substituted for water closets after one water closet has been provided. Toilets shall be designated as to the sex accommodated therein.

(e) Lavatories or washbasins provided with both hot and cold running water shall be installed in either the toilet room or in a vestibule. Lavatories or washbasins shall be provided with soap and a dispenser with sanitary towels.

(f) All electrical equipment shall be installed in accordance with the Electrical Code.

(Ord. 164-88. Passed 5-16-88.)

749.14 OPERATING REQUIREMENTS.

(a) Every portion of a massage establishment, including appliances and apparatus, shall be kept clean and operated in a sanitary condition.

(b) Price rates for all services shall be prominently posted in the reception area in a location available to all prospective customers.

(c) All employees, including masseurs and masseuses, shall be clean and shall wear clean, nontransparent outer garments covering the sexual and genital areas. The use of such garments shall be restricted to the massage establishment. A separate dressing room for each sex must be available on the premises with individual lockers for each employee. Doors to such dressing rooms shall open inward and shall be self-closing.

(d) All massage establishments shall be provided with clean, laundered sheets and towels in sufficient quantity. Such sheets and towels shall be laundered after each use thereof and stored in a sanitary manner.

(e) No massage establishment granted a license under this chapter shall place, publish or distribute, or cause to be placed, published or distributed, any advertisement, picture or statement which is known, or through the exercise of reasonable care should be known, to be false, deceptive or misleading in order to induce any person to purchase or utilize any professional massage service.
(Ord. 164-88. Passed 5-16-88.)

749.15 MINORS ON PREMISES.

No person shall permit any person under eighteen years of age to come into or remain on the premises of any massage business establishment as a masseur, employee or patron, unless such person is on the premises on lawful business.
(Ord. 164-88. Passed 5-16-88.)

749.16 ALCOHOLIC BEVERAGES.

No person shall sell, give, dispense, provide or keep, or cause to be sold, given, dispensed, provided or kept, any alcoholic beverage on the premises of any massage business.
(Ord. 164-88. Passed 5-16-88.)

749.17 HOURS OF OPERATION.

No massage business shall be kept open for any purpose between 10:00 p.m. and 8:00 a.m. of the following day.
(Ord. 164-88. Passed 5-16-88.)

749.18 EMPLOYMENT OF MASSAGISTS.

No person shall employ as a massagist any person unless such employee has obtained and has in effect a permit issued pursuant to this chapter.
(Ord. 164-88. Passed 5-16-88.)

749.19 INSPECTIONS.

The Chief of Police or his or her authorized representative shall from time to time make an inspection of each massage business establishment for the purpose of determining that the provisions of this chapter are fully complied with. No licensee shall fail to allow an inspection officer access to the premises or hinder such officer in any manner.
(Ord. 164-88. Passed 5-16-88.)

749.20 PROHIBITED ACTS.

(a) No person holding a permit under this chapter shall treat a person of the opposite sex, except upon the signed order of a licensed physician, osteopath, chiropractor or registered therapist, which order shall be dated and shall specifically state the number of treatments, not to exceed ten. The date and hour of each treatment given and the name of the operator shall be entered on such order by the establishment where such treatments are given and shall be subject to inspection by the police pursuant to Section 749.19. This subsection shall not apply to treatments given in the residence of a patient, in the office of a licensed physician, osteopath, chiropractor or registered physical therapist or in a regularly established and licensed hospital or sanitarium.

(b) No person in a massage parlor shall place his or her hands upon, touch with any part of his or her body, fondle in any manner or massage a sexual or genital part of any other person. Sexual or genital parts shall include the genitals, pubic area, buttocks, anus or perineum of any person, or the vulva or breasts of a female.

(c) No person in a massage parlor shall expose his or her sexual or genital parts, or any portion thereof, to any other person. No person in a massage parlor shall expose the sexual or genital parts, or any portion thereof, of any other person.

(d) No person, while in the presence of any other person in a massage parlor, shall fail to conceal, with a fully opaque covering, the sexual or genital parts of his or her body.

(e) No person owning, operating or managing a massage parlor shall knowingly cause, allow or permit in or about such massage parlor any agent, employee or other person under his or her control or supervision to perform the acts prohibited in subsection (a), (b) or (c) hereof.

(f) No permittee under this chapter shall administer massage on an outcall basis. Such person shall administer massage solely within an establishment licensed to carry on such business under this chapter.

(g) Any violation of this section shall be deemed grounds for revocation of the permit granted hereunder. The restrictions on outcall massage shall not apply to a permittee who performs outcall massage upon a customer or client who, because of reasons of physical defects or incapacities or due to illness, is physically unable to travel to the massage establishment. If any outcall massage is performed under this exception, a record of the date and hour of each treatment, the name and address of the customer or client, the name of the employee administering such treatment, the type of treatment administered and the nature of the physical defect, incapacity or illness of such client or customer shall be kept by the licensee or person designated by the licensee. Such records shall be open to inspection by officials charged with the enforcement of public health laws. ~~The information furnished or secured as a result of any such inspection shall be confidential. No employee of the business or of the City shall make any disclosure or use of such information.~~

(h) No massage service shall be carried on within any cubicle, room, booth or area within a massage establishment which is fitted with a door capable of being locked. All doors or doorway coverings within a massage establishment shall have an unobstructed opening, six inches by six inches in size, capable of clear two way viewing into and out of all cubicles, rooms or booths. The opening shall be not less than four and one-half feet, nor more than five and one-half feet, from the floor of the establishment. A toilet or cubicle used solely for the application of liquid and vapor baths shall have no such opening in the covering door or curtain, but shall be clearly marked as to its purpose on the exterior door or curtain of such cubicle, room or booth. Nothing contained herein shall be construed to eliminate other requirements of statute or ordinance concerning the maintenance of premises, nor to preclude an authorized inspection thereof, whenever such inspection is deemed necessary by the Police ~~Division~~ **Department** or the County Health Department.
(Ord. 164-88. Passed 5-16-88.)

749.21 SALE OR TRANSFER OF ESTABLISHMENT; CHANGE OF LOCATION.

Upon the sale, transfer or relocation of a massage establishment, the license therefor shall be null and void unless approved as provided in Section 749.06. However, upon the death or incapacity of the licensee or any colicensee of the massage establishment, any heir or devisee of a deceased licensee, or any guardian of an heir or devisee of a deceased licensee, may continue the business of the massage establishment for a reasonable period of time, not to exceed sixty days, to allow for an orderly transfer of the license.
(Ord. 164-88. Passed 5-16-88.)

749.22 NAME AND PLACE OF BUSINESS.

No person granted a license pursuant to this chapter shall operate the massage establishment under a name not specified on his or her license, nor shall he or she conduct business under any designation or location not specified in his or her license.

(Ord. 164-88. Passed 5-16-88.)

749.23 TRANSFER OF LICENSES AND PERMITS.

No license or permit shall be transferable except with the consent of the City and ratification by the Director of Public Safety. An application for such transfer shall be in writing and shall be accompanied by fees prescribed in Sections 749.04 and 749.05. The written application for such transfer shall contain the same information as requested herein for the initial application for the license or permit.

(Ord. 164-88. Passed 5-16-88.)

749.24 COMPLIANCE REQUIRED.

No person, except a person specifically exempted by this chapter, whether acting as an individual owner, employee of the owner, operator, employee of the operator, agent, independent contractor for the owner, employee or operator, or a participant or worker, shall, directly or indirectly, give a massage or operate a massage establishment or perform any of the services defined in this chapter without first obtaining a license or permit therefor and paying the required fee therefor.

(Ord. 164-88. Passed 5-16-88.)

749.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than six months, or both.

(Ord. 164-88. Passed 5-16-88.)